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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,929	01/16/2004	Jerome H. Simon	04870-P32 US	6523
26486	7590	11/01/2007		
BURNS & LEVINSON, LLP 125 SUMMER STREET BOSTON, MA 02110			EXAMINER LEE, Y MY QUACH	
			ART UNIT	PAPER NUMBER
			2885	
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			11/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/758,929

Applicant(s)

JEROME H. SIMON

Examiner

Lee Y Quach

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-27 and 30 to 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19,23,31 and 32 is/are rejected.
- 7) ☒ Claim(s) 20-22 and 24-27, 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION**Response to Arguments**

1. Applicant's arguments filed August 8, 2007 have been fully considered but they are not persuasive. Applicant stated that the ring lenses referred to in the rejection are not ring lenses but rather are planar lenses. This is not found persuasive. The ring lenses referred to in the rejection are ring lenses because they have the same features as the ring lenses as disclosed in applicant's present invention. Applicant's attention is directed to drawing figures 9, 9A and 9B of applicant's present invention where the ring lens is showed as one side planar and other side convex which is the same as the ring lens of Begemann et al. Applicant also stated that the ring lenses at least partially surrounding *a* corresponding LED is not disclosed in the reference. It should be noted that the feature upon which applicant relies (i.e., the ring lenses at least partially surrounding *a* corresponding LED) is not recited in the rejected claim(s). Claim 19 recites *each* at least partially surrounding *a* corresponding LED. Applicant also stated that the ring lenses are not canted in section. This is not found persuasive. Applicant's attention is directed to drawing figure 2 of Begemann et al., each ring lens is canted in section (angled in section with respect to the plane) to provide a canted radial beam at an angle to the plane on which the LEDs are arranged. Accordingly, Begemann et al. meet all of the limitations as claimed and the rejection of claims 19, 23, 31 and 32 is maintained and follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 19, 23, 31 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Begemann et al.

Begemann et al. show multiple LEDs (30) arranged on a plane (figure 2, the planar surface labeled as reference numeral 10) in a geometric pattern, a plurality of ring lenses (figure 2, the circular lens not numbered) with each at least partially surrounding a corresponding LED, at least a portion of each ring lens canted in section for providing a canted radial beam (the canted radial beam as shown in figures 11, 12) at an angle to the plane on which the LEDs are

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arranged (figures 2, 9 and 10), and each of the ring lenses surrounding the LEDs comprised of a first and a second canted portions (figure 2, the lens of 20a, the lens of 20b) respectively projecting a first and second canted radial beam with each at an angle to the plane on which the LEDs are arranged.

4. Claims 20 to 22, 24 to 27 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

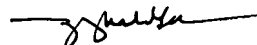
5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Monday to Thursday from 8:30 am to 2:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service 571-272-2815.

Y. Q.
October 25, 2007


Y Quach Lee
Primary Examiner
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